

REMARKS

The Office Action of August 16, 2004 has been carefully reviewed and all matters presented in the Office Action are addressed herein.

In the Office Action, claims 2, 3, 9, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Larson et al (U.S. Patent No. 5,425,968). Applicants respectfully traverse this rejection.

For clarity, Applicants note that the present rejection is stated as being based on U.S. Patent No. 5,425,968 to Larson et al. ("Larson '968"), and not U.S. Patent No. 5,260,101 to Larson et al. (Larson '101), which formed the basis for previous rejections in this application, despite the language of the rejection being substantial identical to the language written in previous office communications. Since the cited columns/lines in the present rejection appear to correspond to the Larson '968 patent, the Applicants assume the correct Larson patent is being addressed herein and requests that the Examiner contact the Applicants' undersigned attorney if this assumption is incorrect.

Larson '968 relates to a method and apparatus which utilizes a volumetric proportioning device in order to apply a coating composition having more than one component onto a substrate. The volumetric proportioning device may be set in order to provide a controlled mix ratio of the components. As the components are mixed only immediately prior to when spraying occurs, Larson may be utilized with coating compositions previously thought to be difficult to formulate because of pot life concerns.

As a first point, Larson only discusses and claims two package systems. The office action cites column 1, lines 59-61 and column 5, lines 40-48 as demonstrating that the Larson apparatus may employ more than two packages or components. It is respectfully noted that column 1, lines 59-61, is a general discussion of the background of the art in which it is merely stated that in refinish applications, the coating material

may be the product of two packages/components or in some cases, more than two packages or components. This discussion is not specific to the Larson apparatus and clearly does not teach, suggest or disclose that the Larson apparatus may be utilized in those cases where the coating material is the product of more than two packages or components. With regard to column 5, lines 40-48, there is merely a general blanket statement that a skilled artisan may analogously modify the apparatus for a three or more package system. There is no teaching or example on how the apparatus may be so modified.

Further, whether the invention of Larson is utilized with two components, three components, or even more than three components, it is still clear from the Larson specification that only ONE coating composition is produced using such components during a particular use of the apparatus.

Although it is true that the Larson apparatus may be used to apply different coating compositions, such as primers, basecoats, topcoats, clearcoats, etc, nowhere in Larson is it taught, suggested, or disclosed that such different coating compositions may be formulated and applied without changing the original combination of components utilized or without disassembling the apparatus. For example, in order to vary the ratios of the components being used, and thereby form a different coating composition, it is necessary to stop use of the Larson apparatus and replace one or more of the cylinders or piston rods with cylinders or piston rods of different diameters (see col. 7, lines 36 - 52; and col. 8, lines 44-46). As the cylinders or piston rods would need to be replaced in order to change the ratio of the components, it is not possible to change the ratio of the components, and hence the coating formulation, while the components remain fixed in the apparatus, as is taught and claimed in the present application. As such, Larson does not teach, suggest or disclose a specific combination of components which may be utilized to provide different coatings merely by changing the ratios of the same specific combination of components during the same use of a plural component apparatus, while the same combination of components remain fixed within the plural component apparatus.

To anticipate a claim under 102(b), the single prior art source must contain all of the elements of the claims, arranged as in the claim. This Larson clearly does not do. Thus, the presently claimed invention is considered novel over Larson.

Also in the Office Action, claims 3-9 are rejected under 103(a) as being unpatentable over Larson et al (U.S. Patent No. 5,425,968) in view of Vu (U.S. Patent No. 4,710,560). Applicants respectfully traverse this rejection.

Vu is cited as teaching that by using an aromatic and aliphatic diisocyanate having different reactivity toward OH-groups, a polymer with predetermined structure and properties can be achieved. Even if, in arguendo, this is the case, Vu still does not overcome the deficiencies of Larson as set forth above. More specifically, neither Larson nor Vu teach, suggest, or disclose a method of using a specific combination of components which can be utilized to provide different coating compositions merely by changing the ratios of such specific combination of components while the components remain in the fixed in the plural component apparatus.

Thus, the present invention is considered both novel and non-obvious over the cited prior art. Applicants respectfully request reconsideration of the rejected claims and a finding that the claims are in condition for immediate allowance.

Respectfully submitted,
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